

EXHIBIT B

Mygatt, Timothy (CRT)

From: Fogg, Christina (USAWAW)
Sent: Monday, July 13, 2020 6:40 PM
To: Cowart, Kerala T
Cc: Mygatt, Timothy (CRT); Murray, Jeff (CRT)
Subject: Changes to Policy

Kerala,

As we discussed on the phone, pursuant to Paragraph 177 of the Consent Decree and the past practices in this litigation, the City must obtain approval of any modification to Consent Decree-related policies in advance of their implementation. The use of force and crowd management policies SPD is currently operating under were both reviewed and approved by DOJ and the Monitor, and they were also submitted to the Court and approved. Any changes to those policies, therefore, must follow the processes required by the Decree and used during the course of the Decree's implementation.

Paragraph 177 states, "SPD will submit the policies, procedures, training curricula, and training manuals required to be written, revised, or maintained by the Settlement Agreement to the Monitor and DOJ for review and comment prior to publication and implementation. The Parties will meet and confer regarding any comments on the policies, procedures, training curricula, and training manuals within 45 days of submission if necessary." Throughout the implementation of the Consent Decree, the City and SPD have submitted draft revisions to policies to the Court after receiving approval from DOJ and the Monitor and before they have been implemented, and the Court has approved the policies before they have taken effect.

We understand that you intend to transmit proposed changes to the use of force and crowd management policies to our offices on July 17, 2020. If that is the case, we will plan to contact you to confer about the revisions prior to August 31, 2020. If the City intends to submit additional proposed changes after receiving the recommendations from the Office of Inspector General, the Office of Police Accountability, and the Community Police Commission on August 15, 2020, we can adjust our review timeframe and confer with you within 45 days of receiving those additional changes. After we confer, the City may seek approval of the changes from the Court, and DOJ and the Monitor may advise the Court of any remaining concerns at that time. Please contact me if you have any questions or concerns.

Thanks very much,
Christina

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